



# COMMONWEALTH of VIRGINIA

## DEPARTMENT OF ENVIRONMENTAL QUALITY

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### Public Notice – Environmental Regulation

**Notice of action:** The State Water Control Board is considering the amendment of a regulation on water quality. A regulation is a general rule governing people's rights or conduct that is upheld by a state agency.

**Regulation name:** General Virginia Pollutant Discharge Elimination System (VPDES) Permit for Concrete Products Facilities (9VAC25-193)

**Purpose of notice:** The board is seeking comments through the Department of Environmental Quality on 1) the proposal 2) the costs and benefits of the proposal 3) effects of the proposal on farm and forest land preservation and 4) impacts on small businesses.

**Public comment period:** November 5, 2012 to January 11, 2013

**Public hearing:** DEQ Piedmont Regional Office at 4949-A Cox Road, Glen Allen, VA 23060 on Wednesday, December 5, 2012 starting with a Public Information/Question and Answer Session at 9:30 AM and the Public Hearing at 10:00 AM.

**Public comment stage:** Notice of Public Comment

**Description of proposed regulation:** Substantive changes proposed are: added two reasons authorization to discharge cannot be granted (if the antidegradation policy is not met or if the discharge is not consistent with a total maximum daily load (TMDL)), added language to allow for 'administrative continuances' of coverage, added approval of representative outfalls and closure plans for portable plants as part of the registration, reduced monitoring requirements from monthly to quarterly, clarified that total petroleum hydrocarbon monitoring was only necessary when vehicle degreasing was occurring on site, added benchmark monitoring concentrations for storm water and removed total petroleum hydrocarbon and iron monitoring from the storm water limits page. In the special conditions, added that no oil sheen shall be present, waste water should be reuse or recycled when feasible, clarified what information is required for temporary and long-term facility closure plans, added that settling basins must be lined if they are expanded, added quantification levels of total suspended solids and total petroleum hydrocarbons, added that discharges to TMDL waters must implement measures and controls consistent with the TMDL, added an allowance for deleting or adding outfalls, added procedures for termination of coverage, added instructions for allowing temporary closures for

inactive and unstaffed sites, added that discharges must meet water quality standards and that coverage under the permit did not relieve an owner of compliance with any other federal, state or local statute, ordinance or regulation. All the language in Part II (Storm Water Management) was revised to be more consistent with the 2009 Industrial Storm Water General Permit (9VAC25-151) conditions. Changes were made to make this general permit similar to other general permits issued recently and in response to staff and technical advisory committee members' requests to clarify and update permit limits and conditions.

**Locality particularly affected:** The regulation will be applicable statewide and will not affect any one locality disproportionately.

**How to comment:** The DEQ accepts written comments by e-mail, fax and postal mail. All written comments must include the full name, address and telephone number of the person commenting and be received by DEQ no later than on the last day of the comment period. Both oral and written comments are accepted at the public hearing. DEQ prefers the submittal of written comments, including a copy of supporting documents or exhibits. All testimony, exhibits and documents received are part of the public record.

**How a decision is made:** After comments have been considered, the board will make the final decision. Citizens that submit statements during the comment period may address the board members during the board meeting at which a final decision is made on the proposal.

**To review regulation documents:** The proposal and an analysis conducted by DEQ (including a statement of purpose, a statement of estimated impacts and benefits of the proposed regulation, an estimate of the impact of the proposed regulation upon small businesses, identification of and comparison with federal requirements, and a discussion of alternative approaches), are available on the Town Hall web site at [www.townhall.virginia.gov](http://www.townhall.virginia.gov) and by contacting the DEQ representative named below. The public may review the documents at the following location: Department of Environmental Quality, 629 East Main Street, Richmond, VA 23219.

**Contact for public comments, document requests and additional information:**

Elleanore Daub, Office of VPDES Permits at 629 East Main Street, Richmond, VA 23219; Phone: (804) 698-4111; E-mail: [elleanore.daub@deq.virginia.gov](mailto:elleanore.daub@deq.virginia.gov); Fax: (804) 698-4032.